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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CENTER FOR BIOLOGICAL DIVERSITY,

Plaintiff,

vs.

DEBRA HAALAND et al.,

Defendants,

and

LEE CANYON SKI LIFTS, INC.,

Defendant-Intervenor

Case No. 2:20-cv-02131-RFB-DJA

**STIPULATION AND ORDER FOR
DISMISSAL WITH PREJUDICE**

Plaintiff CENTER FOR BIOLOGICAL DIVERSITY (“the Center”), by and through its attorneys, and Defendants DEBRA HAALAND, in her official capacity as Secretary of the U.S. Department of the Interior, MARTHA WILLIAMS, in her official capacity as Principal Deputy Director of the U.S. Fish and Wildlife Service, GLEN KNOWLES, in his official capacity as Field

Supervisor of the Southern Nevada Fish and Wildlife Office, U.S. FISH AND WILDLIFE SERVICE, WILLIAM DUNKELBERGER, in his official capacity as Humboldt-Toiyabe National Forest Supervisor, and the U.S. FOREST SERVICE (collectively “Federal Defendants”), by and through their attorneys, and Defendant-Intervenor LEE CANYON SKI LIFTS, INC. (“Lee Canyon”, and together with the Center and the Federal Defendants, “the Parties”) by and through its attorneys, hereby stipulate **to dismiss this action with prejudice** pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) and with the following background and reasons:

1. On November 19, 2020, the Center filed the above-captioned action against Federal Defendants. ECF No. 1.
2. On August 4, 2021, this Court granted Lee Canyon’s unopposed motion to intervene in this action as a defendant. ECF No. 35.
3. The Center and Lee Canyon have executed a Settlement Agreement fully resolving any and all claims by each party to that agreement against the other. The Settlement Agreement is attached hereto as **Exhibit A** and incorporated by reference as to the Center and Lee Canyon. Pursuant to that Agreement, the Center agrees to voluntarily dismiss any and all claims against Lee Canyon and the Federal Defendants.

Accordingly, the Parties **HEREBY STIPULATE** that this action be dismissed with prejudice, each party to bear their own attorneys’ fees and costs.

DATED: January 19, 2022

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CENTER FOR BIOLOGICAL DIVERSITY

TODD KIM

Assistant Attorney General

/s/ Scott Lake

/s/ Taylor A. Mayhall

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1 DATED: January 19, 2022

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Attorneys for Federal Defendants

IT IS SO ORDERED:

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RICHARD E. BOULWARE, II
United States District Court

DATED this 19th day of January, 2022.

CERTIFICATE OF SERVICE

I hereby certify that today I electronically filed the foregoing STIPULATION AND ORDER FOR DISMISSAL WITH PREJUDICE with the Clerk of the Court using the CM/ECF system, which will send notification of such upon all attorneys of record.

Dated this 19th day of January 2022.

/s/ Ryan Adair Shannon
Ryan Adair Shannon